

Edward Green 08-A-5510
Eastern Correctional Facility
P.O. Box 338
Napanoch, New York 12458-0338

January 6, 2015

Attn: Clerk of the Court
Hon. Richard Sullivan, U.S.D.J.
United States District Court
For the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Green v. State of New York*, 14-CV-2073-RJS-FM

Hon. Sullivan:

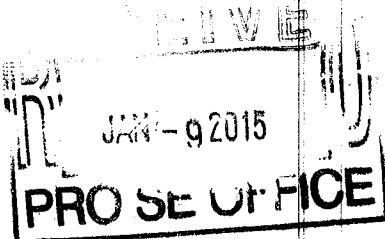
I am writing at this time in request for a ninety-day extension of time to respond the Respondent's Answer with supporting memorandum of law. In addition, I am requesting to expand the record under Rule 7(a) of the Rules Governing Section 2254 Cases to include an exhibit from the state court record the respondents failed to supply the Court with.

Assuming arguendo, the respondents claim, the petitioner's request should be denied because his are meritless, however, to assist the Court in the resolution of the claims presented, the proposed exhibit will substantiate the petitioner's claim of the issue being fairly presented to the state courts, and exhausted for review. *O'Sullivan v. Boerckel*, 526 U.S. 838, 848 (1999).

In addition, expansion of the record will assist the Court in resolution of the petitioner's claim to rebut the respondents contentions and to illustrate he did inform them of the constitutional nature of his claims when he relied on specific provisions of the Constitution, cited clearly established Supreme Court precedent, and relied upon state and federal cases employing the federal constitutional analysis in his request for relief during appellate and state post-conviction review of his claims (*Baldwin v. Reese*, 541 U.S. 27, 29-31 [2004]).

In sum, the petitioner hopes the requested relief will be granted because it is germane to the issue presented (*Williams v. Schiriro*, 423 F.Supp.2d 994, 1002-1003 [D. Ariz. 2006]).

Thank you.



Respectfully Submitted,

Edward Green

Edward Green
Petitioner pro-se

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

EDWARD GREEN

: Petitioner

-against-

THE STATE OF NEW YORK

: Respondent

X

CERTIFICATE OF SERVICE

14-CV-2073-RJS-FM

Edward Green, petitioner *pro se*, declares under the penalties of perjury that:

On January 6, 2015, I have served an original of the following documents: Request for an Extension of time and a Request to Expand the Record under Rule 7(a) of the Rules Governing Section 2254 Cases upon the following and concerned parties:

Clerk of the Court
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 11201

Attn: Eric T. Schneiderman, Esq.

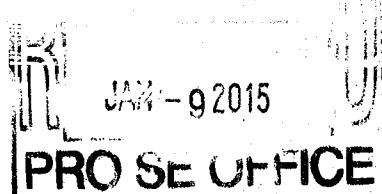
Thomas B. Litsky Esq.
Attorney General of the State of New York
Attorney for Respondent
120 Broadway
New York, New York, 10271

By placing the above-mentioned documents in a properly addressed and sealed envelope in a mailbox located at Eastern Correctional Facility, P.O. Box 338, Napanoch, New York 12458 to be mailed via United States Postal Service to the parties named herein.

Respectfully Submitted,

Edward Green

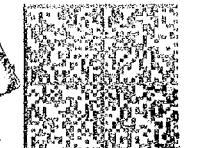
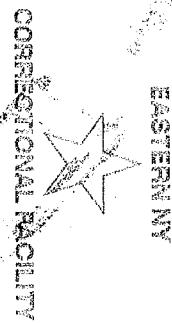
Edward Green
Petitioner, *pro se*



EASTERN NY CORRECTIONAL FACILITY

BOX 338
NAPANOCH, NEW YORK 12458-0338

NAME: Edward Green DIN: 0895510



Clerk of The Court

U.S. District Court, Southern Dist. of N.Y.

500 Pearl Street
New York, New York 10201

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100-0731330